

EXHIBIT 2

*COVID Related
Correspondence with State
Advocate Berry*

From: Tillette Berry <Tberry@npa.gov.za>
Sent: Friday, 19 June 2020 12:41
To: keith@keithgessattorneys.co.za
Subject: FW: From: Dr. Herman Nel



Tillette Berry
State Advocate
The Office of the Director of Public Prosecutions
National Prosecuting Authority
115 Buitengracht, Cape Town, 8000
Private Bag X9003, Cape Town, 8000

Tel: +27 21 487 7000
Fax: +27 21 487 7167
Ext: 21 7225
E-mail: tberry@npa.gov.za
Web: www.npa.gov.za



From: Simelela Nokwanda <NSimelela@justice.gov.za>
Sent: Friday, 19 June 2020 12:38
To: Tillette Berry <Tberry@npa.gov.za>
Subject: RE: From: Dr. Herman Nel

Good afternoon

Thank you for the communication. The date of the 02/07/2020 will then be treated as a provisional date. Let us discuss the matter further on the next court date. The issue of micro soft teams is not opposed as a way forward by the Judiciary. However there are some issues to be ironed out first.

Regards
NSimelela

From: Tillette Berry [<mailto:Tberry@npa.gov.za>]
Sent: 18 June 2020 05:00 PM
To: Simelela Nokwanda
Cc: Davids Neelfah (NPA Contact)
Subject: FW: From: Dr. Herman Nel

Dear Ms Simelela

Please find attached communication received from Mr Gess in the matter of The State and Ricardo Spagni. Your further direction in this regard is eagerly awaited.

Kind regards



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From: keith@keithgessattorneys.co.za <keith@keithgessattorneys.co.za>
Sent: Thursday, 18 June 2020 15:32
To: Tillette Berry <Tberry@npa.gov.za>
Subject: FW: From: Dr. Herman Nel

Dea Adv Berry

My client indicated that he is not comfortable travelling and attending Court in our hotspot city.

He suffers from chronic asthma and is overweight.

This is his doctors letter, should you require more detail I will request it from them.

Kind regards,
Keith Gess

**KEITH GESS
ATTORNEYS**

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KEITHGESSATTORNEYS.CO.ZA
WWW.KEITHGESSATTORNEYS.CO.ZA
TEL 021 410 8750 CELL 082 856 0210

From: Riccardo Spagni [REDACTED]
Sent: Thursday, 18 June 2020 12:03
To: keith@keithgessattorneys.co.za
Subject: Fwd: From: Dr. Herman Nel

----- Forwarded message -----

From: Dr H Nel <neladmin@medcomp.co.za>
Date: Thursday, June 18 2020 at 12:01 PM SAST
Subject: From: Dr. Herman Nel
To: [REDACTED]

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The National Prosecuting Authority of South Africa

From: Tillette Berry <Tberry@npa.gov.za>
Sent: Friday, 19 June 2020 12:48
To: Simelela Nokwanda <NSimelela@justice.gov.za>
Cc: Neelfah Davids <ndavids@npa.gov.za>; keith@keithgessattorneys.co.za
Subject: RE: From: Dr. Herman Nel

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Mr Gess await feedback from you then.

Kind regards



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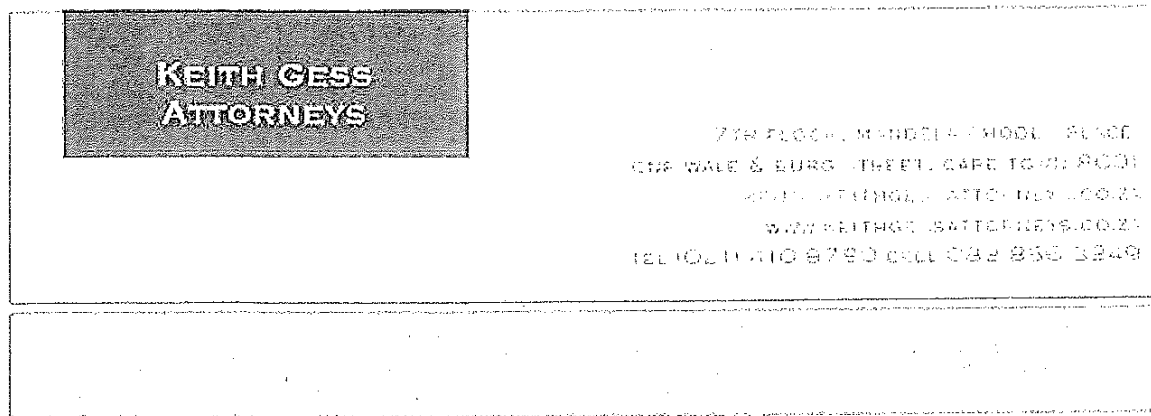
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Kind regards,
Keith Gess



From: Riccardo Spagni [REDACTED]
Sent: Thursday, 18 June 2020 12:03
To: keith@keithgessattorneys.co.za
Subject: Fwd: From: Dr. Herman Nel

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The National Prosecuting Authority of South Africa

Dr. Herman Nel

M.B.Ch.B. (UFS)

Reg. MP 0346578

Pr. 1455141

P.O. Box 41
4 Robberg Road
Pl-ttenberg Bay
6600

Tel: +27 (0) 44 533 0186
Fax: +27 (0) 44 533 0187
neladmin@nmdcomp.co.za

17 June 2020

To whom it may concern

Mr. Riccardo Spagni

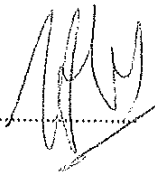
ID: [REDACTED]

Mr. Spagni has several medical conditions that places him at an extremely high risk of life-threatening complications should he be infected by the Covid-19 virus.

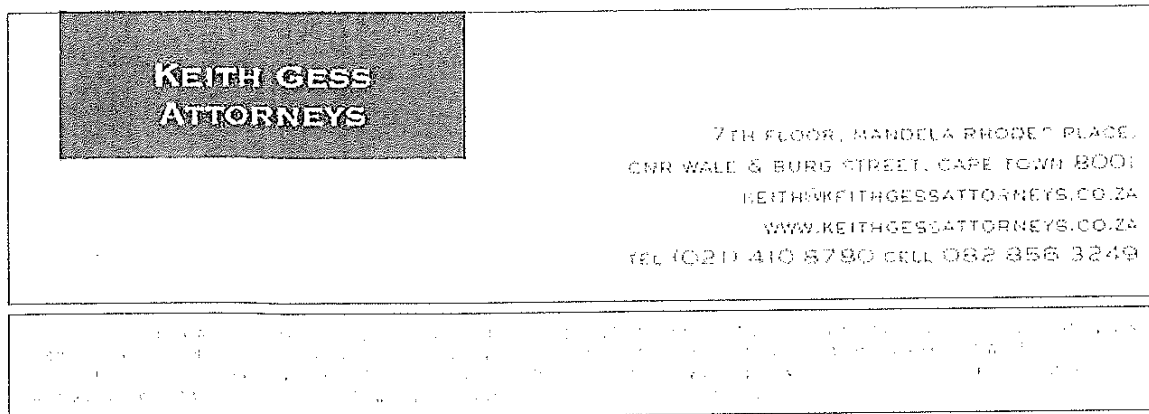
It would be in the patient's best interest not to travel to any high-risk areas.

Thank you

Dr. Herman Nel
MBChB



Kind regards,
Keith Gess



Dear Mr Fitschen and Ms Triegaardt

Please take note that the said matter will not run 2 and 3.7.2020 due to the accused's medical scenario as per his physicians direction. We have arranged two new dates for the continuation of the trial – 8 and 9 October 2020. A warrant will be issued for the accused and stayed until 8 October 2020. I am in Cape Town Regional Crt on 30 June and 1 July and if my matter run with Ms vd Merwe on those two days I will go and draw the charge sheet and enrol it for the warrant to be issued and stayed. Should my trial not run on 30 June and 1 July I will approach you to request that one of my colleagues attending to the Regional Crt matters on 2 July attend to it.

Many thanks for your continued assistance.

Warm-regards



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From: Tillette Berry
Sent: Friday, 19 June 2020 13:55
To: 'Simelela Nokwanda' <NSimelela@justice.gov.za>; keith@keithgessattorneys.co.za

Cc: Neelfah Davids <ndavids@npa.gov.za>

Subject: RE: From: Dr. Herman Nel

Dear Mrs Simelela

Many thanks, we take 8 and 9 October 2020. Would the Court please then issue warrant and have it stayed till 8.10.2020.

Kind regards



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From: Simelela Nokwanda <NSimelela@justice.gov.za>

Sent: Friday, 19 June 2020 13:26

To: keith@keithgessattorneys.co.za; Tillette Berry <tberry@npa.gov.za>

Cc: Neelfah Davids <ndavids@npa.gov.za>

Subject: RE: From: Dr. Herman Nel

I am in Cape Town the week of 5-9 October so we can take both the 8 and 9 October.

From: keith@keithgessattorneys.co.za [<mailto:keith@keithgessattorneys.co.za>]

Sent: 19 June 2020 01:18 PM

To: Berry Tillette (NPA Contact); Simelela Nokwanda

Cc: Davids Neelfah (NPA Contact)

Subject: RE: From: Dr. Herman Nel

Dear all

I am available on the following dates in October : 8;9;12;13;14;15;16;26;27;28;29&30.

will be postponing several matters next week for trial so I would appreciate it if we can agree on dates asap.

Kind regards,
Keith Gess

**KEITH GESS
ATTORNEYS**

7TH FLOOR, MANDELA SQUARE PLAZA,
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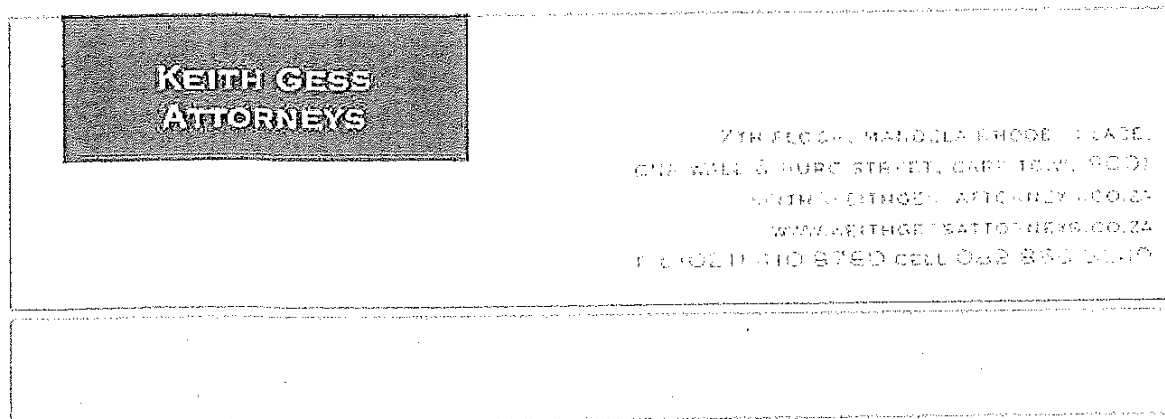
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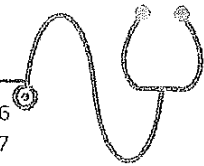
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neladmin@medcomp.co.za



September 29, 2020

To whom it may concern

Mr Riccardo Spagni

ID: [REDACTED]

Mr Spagni suffers from - Asthma, Obesity and Mild hypertension - all of these place him at an extremely high risk of life-threatening complications should he be infected by the Covid-19 virus.

The patient does not feel emotionally fit to expose himself to possible Covid-19 infection at this time.

It would be in the patient's best interest not to travel to any high -risk areas.

Thank you

.....
Dr Herman Nel

MBChB

A handwritten signature in dark ink, appearing to read 'H. Nel', written over a dotted line.

DR HERMAN NEL
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neladmin@medcomp.co.za